

SECTION III. VISITORS

Part 1. VIS ITS TO USER AGENCY CONTRACTORS

3-100 Application. **This** part establishes procedures and responsibilities to be exercised by **UA's** and **CSO's** for visits to contractors of **UA's** where **access** to classified information **is** involved. The procedures to be followed by contractors are detailed in section V, **ISM**.

3-101 General.

a. The general policies and procedures applicable to visits to UA contractors are contained in paragraph 37, **ISM**. Industrial security representatives of the DoD and other **UA's** and representatives of U.S. Government investigative agencies and the **DUSD(P)**, are not considered as visitors under this section when acting in their official capacities as set forth in paragraph 37h, **ISM**.

b. The number of visitors requiring access to **classified** information **shall** be held **to** a minimum and the following requirements must be established:

(1) that the visit is necessary, and

(2) the purpose of the visit cannot be achieved without access to classified information.

c. Approval of the visit normally constitutes the authority for the disclosure of classified information. In the event the visit is disapproved, the requester shall be promptly notified by the contractor or activity **which** made such decision (see paragraph 37c, **ISM**). Approval **in** addition **to** that of the contractor being visited is required as follows:

(1) Category 1 visits -- none (see paragraph 3-103a),

(2) Category 2 visits -- contracting officer of the requesting contractor (see paragraph **3-103b**),

(3) Category 3 visits -- contracting officer **of** the **UA** whose information is involved (see paragraph 3-103c),

(4) Category 4 visits -- UA (see paragraph **3-103d**), and

(5) Category 5 visits -- CSO of contractor being visited and DISCO (see paragraph **3-103e**).

a. Request for visits shall be submitted to the contractor **or** activity being visited in writing (mail or teletype) in advance of the proposed **visit**. In exceptional cases the telephone may be used provided the visit **is** confirmed in writing. Under no circumstances, however, may employees hand-carry their own visit requests to the place being visited. All **visit** requests shall contain the information required by paragraph 37d, **ISM**, except as otherwise stated.

e. Visit requests which involve access to information requiring "special access authorizations (for example, **CRYPTO** information, **NATO**, or other special or limited **access** programs) will, in addition to the information required by paragraph **37d, ISM**, include the information required by paragraph **37e, ISM**.

3-102 Long-Term Visits. Long-term visits of employees of one contractor temporarily stationed at a facility of another contractor are handled in accordance with paragraph 40, **ISM**. The CSO, however, is responsible for conducting periodic inspections to ensure that classified information in possession of the visiting employees is properly safeguarded, and for notifying the host contractor of **any** security deficiencies found during the **CSO's** regularly scheduled inspections at the host facility.

3-103 Visitor Categories and Procedures. Categories and procedures applicable to visits of UA contractors are provided **in** paragraph 41, **ISM**. Specific responsibilities of government agencies (other than those specified in paragraph **3-101b**), their contracting officers, or the CSO are as follows.

a. Category 1. **This** category includes visits where a contractual or prospective contractual relationship exists between contractors or between a contractor and a **UA**, and visits to a contractor by: representatives of the Government Accounting Office (GAO) for auditing purposes, authorized representatives of the Department, of Labor, and other agencies of the executive **branch of** the government, when acting in their official capacities (see paragraph 41a, **ISM**).

(1) Such requests will be forwarded to the contractor to be visited.

(2) Representatives of DoD **UA's** are reminded to comply with paragraph **20-802 of** the DAR (reference **(c)**) prior to forwarding **visit** requests to the contractor.

b. Category 2. This category applies to visits between contractors who have been granted **FCL's** where a contractual relationship does not exist and which do not otherwise meet the requirements of Category 1. The requesting contractor shall obtain verification of the visitor's need-to-know from his or her contracting officer (see paragraph **41b, ISM**, and paragraph **3-101c (2)** above). **Approval** of the visit by the contracting officer will be in writing and included as part of or attached to the visit request. The contracting officer will certify to the visitor's need-to-know only after it has been clearly established that the visit and proposed release or acquisition of classified information at the facility to be visited is necessary **in** the furtherance of a UA contract (see paragraph **41b, ISM**).

c. Category 3. This category applies to representatives and employees of the DOE and its contractors whose **visits** to the facility of a UA contractor **will** require access to other than RESTRICTED DATA (see paragraph **41c, ISM**).

(1) **The activity requesting the visit will** furnish the required information "Request for Visit or Access Approval" (DOE **Form F 5631.20**) concerning the proposed visit **to** the contracting officer of the contractor

whose classified information is involved. Through direct coordination with the activity requesting the visit, the contracting officer shall determine that there **is** sufficient justification for the **visit**; that is, that the visit will further the performance of current or future UA or DOE contracts.

(2) The contracting officer shall, if the visit is approved, notify the contractor of the visit approval, including required information concerning the visitor (DOE Form F 5631.20).

d. Category 4. Except as authorized in subparagraph **3-103d(8)** * below, visits to contractor facilities by foreign nationals (see paragraph *, 1-232) and persons acting as representatives of **a** foreign interest (see *, paragraph 1-256), hereafter referred to collectively as foreign **represen-** *, **tatives**, must be officially sponsored by a foreign government. Foreign *, sponsorship **is** normally reflected **in** an official request for a visit from *, the embassy of the nation concerned to the cognizant UA foreign disclosure *, office 1/. The cognizant UA may then sponsor, deny, or elect not to sponsor *, the visit.. UA sponsored visits shall not be used to avoid **the** licensing *, requirements of the ITAR published by the Department of State or the Export *, Administration Regulations published by the Department of Commerce. The *, contractor shall be responsible for ensuring that both sponsored and **un-** *, sponsored visits. by foreign representatives are effectively denied *, unauthorized access to: (i) classified information, (ii) unclassified *, technical data governed by the Export Administration Act, administered by *, the Secretary of Commerce, and the Arms Export **Control** Act, administered **by** *, the Secretary of State through the ITAR, and (iii) other classified **informa-** *, **tion** for which the DOE, NRC, or other government department or agency has *, prescribed dissemination limitations. *

(1) Foreign representatives shall **not** be afforded access to * classified information, unless specifically authorized in writing by a UA. *

1/ The following offices are responsible for processing visit requests; the * Defense Intelligence Agency is responsible for processing requests to *, visit elements of the OSD, the Office of the Joint Chiefs **of** Staff *, (**OJCS**), the Unified and Specified Commands, the Defense Agencies, and *, activities administratively supported by the OSD. *

Department of the Army
Assistant Chief of Staff
for Intelligence
ATTN : Foreign Liaison
Directorate (**DAMI-FL**)
Washington, **D.C.** 20310

Department of the Air Force
International Affairs Division
Information Branch (**CVAII**)
Office of the Vice Chief of Staff
Washington, **D.C.** 20330 *

Department of the Navy
Foreign Disclosure and **Policy**
Control Branch
Office of Chief of Naval
Operations (**OP-622E**)
Washington, **D.C.** 20350

Defense Intelligence Agency
Foreign Liaison Branch (**DI-4A**)
Washington, **D.C.** 20301 *

(2) UA sponsorship of a visit **is** based on the existence of a specific **or** potential program or project with the foreign government concerned. UA notification of sponsorship **will** contain the level and scope of classified information authorized for disclosure (visual and/or oral only), as well **as** any limitations, and will be transmitted to the **CSO** for review and **retransmittal** to the contractor facility to be visited. Final acceptance of the visit will be subject to the concurrence of the **contractor**. The contractor shall notify the UA when the visit is not desired. The contractor may not change the level or scope of classified information to be released, or modify any limitations, without the approval of the UA which approved the visit.

(3) The contractor shall not inform the foreign **representatives**, or their employers, of the scope of access authorized or of the limitations imposed by the UA, nor shall **the** foreign representatives be induced to seek a higher access level than previously approved by the UA.

(4) The **fact** that a foreign representative may possess a PCL at a particular level does not automatically entitle the individual to **receive** U.S. classified information at that level.

(5) Prior to disclosure of classified information to foreign representatives, the contractor being visited shall advise such visitors of their continuing responsibilities to safeguard the information to be **disclosed**. The contractor **shall** also **inform** the visitors that the information affects the national defense of the U.S. within the meaning **of** the espionage laws of the U.S., and that unauthorized disclosure violates international agreements and is inimical to the interests of national security.

(6) If **the** UA **declines to** sponsor a visit, a declination notice will be furnished to the requesting embassy with an information copy to the security office of the contractor **facility(ies)** to be visited. A copy of the visit request **will** accompany the declination notice. Lack of sponsorship does not equate to disapproval nor does it preclude **accomplishment** of the visit, provided the contractor has, or obtains, a munitions license for the specific technical information proposed for release, or the information is otherwise exempt from the licensing requirements of **the** ITAR. **Un-sponsored** visits may be arranged between the foreign activity proposing the visit and the contractor. Disclosure of classified information during **un-sponsored** visits is prohibited: (i) without specific written authorization **from** the cognizant Military Department, **or** (ii) **without** a previously approved and current munitions license issued by the Department of State. It is the contractor's responsibility to consult applicable Department of State and Department of Commerce regulations" to determine export licensing requirements or exceptions regarding the disclosure of unclassified **technical** data during **visits** by foreign representatives.

(7) **In the** event a UA denies a request **to visit**, the requesting embassy and the contractor(s) involved will be advised of the reason(s) **therefor**.

(.8) The following subparagraphs pertain to reciprocally cleared contractors.

(a) **Visit** requests involving U.S. citizen employees of reciprocally cleared contractors (see paragraph 2-117) that require access to classified information or unclassified information related to a classified program or project, and **all**-visit requests involving foreign national employees of such firms, shall be processed by the UA foreign disclosure office having jurisdiction over the information involved. To reduce administrative burden and facilitate the timely conduct of visits associated with current or potentially classified prime contractual or **subcontractual** relationships, contractors are encouraged to include as many activities to be visited as possible on each such request and propose that such visit request be approved **on** a recurring basis, preferably for the duration of the contract or subcontract involved. Copies of approved requests will be furnished by the contractor and to each contractor and UA activity approved for visitation. **All** subsequent changes to the list of visitors may be communicated by the requesting contractor directly to the activities to be visited, **ATTN:** Security Officer, making reference to the pertinent approved visit request on file. However, requests-to visit activities not previously approved must be **submitted** separately to the cognizant foreign disclosure office for approval.

(b) Visits by U.S. citizen employees for unclassified commercial purposes may be arranged directly with the security office of the contractor or UA activity to be visited.

e. Category 5. Persons **whose visits to a contractor's facility** are considered necessary by the contractor, but who do not **fall** into other categories of this section, and who cannot be denied access to classified information by escort or other procedures, are included under Category 5. Only U.S. citizens are eligible to make visits in this category. *

(1) On receipt of the information **specified in** paragraph 41e, ISM, DISCO shall evaluate the request. If it decides to deny the request, it shall so advise the contractor. If DISCO determines that access is necessary and justified, it will initiate an appropriate investigation.

(2) The DISCO will review the investigative results and **deter-**mine whether the visit authorization should be approved or denied. The DISCO will advise the contractor, in writing, of the authorization or disapproval of the visit, and DISCO **will** send an information copy to the CSO. **LOC's** shall not be issued for individuals **in** this visit category.

(3) **On** receipt of the information specified in paragraph 41e(3), ISM, for a renewal of a Category 5 visit authorization, DISCO **shall** reevaluate the need and justification for the renewal of the visit and advise the contractor of **the** authorization or disapproval of the request.

(4) DISCO **will** obtain assistance from the **CSO**, whenever necessary to resolve questionable reasons for **access** to classified information or justification for the visit.

3-104 Investigative Requirements.

a. The following requirements must be met before approval of Category 5 visits to contractors' facilities: U.S. citizens -- a **BI** with satisfactory results is necessary when TOP SECRET information is involved. **A NAC** with satisfactory results is required when SECRET or CONFIDENTIAL information is involved, *

b. Satisfactory completion of the investigative requirements" established above shall not be evidenced by the issuance **of** the LOC or other forms **of** "clearance." The results of the investigation **shall** be recorded promptly **in** the **PSCF** through the submission of the DISCO Form 560 explaining the **reason** for the submission. *

3-105 RESTRICTED DATA. Visits involving access to RESTRICTED DATA shall be processed as follows.

a. Visits to a DoD **or** NASA contractor by a DoD or NASA **representative** or contractor shall be processed **as** prescribed in paragraph 3-103.

b. Visits to a DoD **or** NASA contractor by representatives of **UA's** other than the **DoD** and NASA and their contractors require prior approval of the DOE. The DOE Form F 5631.20 shall reflect this approval in part B of the form. Contractors submitting visit requests in this category shall, after certifying to the clearance status of the proposed **visitor(s)** in part **A** of the DOE Form F 5631.20, forward the form of the contracting officer for certification of the visitor's need-to-know and further processing in accordance with the **UA's** regulations. On receipt of a DOE Form F 5631.20, the contracting officer shall review the contractor's stated purpose for the visit. The **contracting** officer must assure him or herself that access to DOE classified information is essential to the performance of the DoD contract cited by the contractor, or that the proposed disclosure of classified information to the DOE activity will assist in either the performance of a DoD or a **DOE** contract. A statement to that effect shall be made in the appropriate part of the DOE Form F 5631.20. The necessary certification required on part A of the DOE Form F 5631.20 shall be made by the official of the UA who has been delegated this authority. In connection with contracts administered by a **DCASR**, the delegation of authority to make this certification is set forth in **DLAM** 5025.1 (reference **(ss)**). The request **will** also **be** reviewed to ensure that the prospective visitor has an appropriate PCL. **When** the **FCL** of a contractor **is** established, based on either a current classified contractual relationship or verification from the contractor's **CSO**, a cleared contractor's certification of the PCL of an employee shall be accepted without further confirmation by the DISCO. The contractor receiving a visit request in this category shall ensure that the required certifications have been made and that the visit has received DOE approval.

c. Visits **to a UA** contractor, other than a **DoD** or NASA contractor, by representatives of the contracting UA and between a prime contractor and **his** or her subcontractor on such **a** UA contract **shall** be processed as prescribed in paragraph 3-103.

d. Visits to a UA contractor, other than a DoD or NASA contractor, by representatives of **UA's** other than the contracting UA and by contractors other than under a prime-subcontract relationship **shall** require prior **approval** of the DOE and shall be processed in the manner prescribed in paragraph b **above.**

3-106 East-West Visit Exchange Program. If contacted **by** a UA relative to a proposed visit to a DoD cleared facility by representatives of a Communist country under the auspices of the State Department (East-West Exchange Program), the CSO **shall** furnish the following Information 1/:

a. **FCL** status and safeguarding ability, and

b. adequacy of the facility's security program based on the most recent inspection, including a brief history of the program, such as past security violations or unsatisfactory ratings. If requested, the CSO **will** obtain the contractor's consent for the proposed visit and advise the UA accordingly..

Part 2. VISITS TO USER AGENCY ACTIVITIES

3-20.0 Application. This part outlines the procedures to be followed to process visit requests to UA activities where access to classified information is involved.

3-201 General. Rules.

a. Contractors shall comply with any requests received from the commander or head of a UA activity for additional information needed in **the** processing of visit requests.

b. The contractor is encouraged at the time of the initial visit to request approval for subsequent visits within a period of 12 months, when necessary and consistent with the purpose of the initial visit. Arrangements for continuing visits will be made between the contractor and the Commander or Head of the UA activity. Final approval is the prerogative of the Commander or Head of the **UA** activity.

1/ The DoD wishes to be consulted in advance by any sponsor **who** intends either to discuss with the Communist country visitor research work which is funded by **the** DoD or to show any production having a direct military application. Consultation with the appropriate UA or CSO should have been completed **before the** itinerary is discussed with the Soviet and Eastern European Exchange Staff, Department of State. Access to industrial facilities performing on contracts, grants, **or** work funded by the DoD, classified or unclassified, **or** where the visitors will have access to production, having a direct or indirect military application, **will** not be granted without State Department approval, after consultation with the DoD.

-c. Visits to DoD **or** NASA activities **by** DoD or NASA contractors involving access **to** RESTRICTED DATA **shall** be processed as prescribed in paragraph 3-103. Visits to other **UA's** involving access to RESTRICTED DATA shall be processed **in** the manner prescribed in paragraph **3-105b**.

3-202 Visits to User Agency Activities in the United States.

a. Contractors desiring to have an employee or consultant visit a **UA** activity involving access to classified information shall address a request in writing to the Commander or **Head** of the activity to be visited. Visit requests shall be accompanied by a statement from the contracting officer that the release of classified information **is** required in connection with a specified classified contract or program. (Visit requests **normally** will be sent via the contracting officer.)

b. Requests to visit offices or headquarters activities of the **UA's** in the Washington, **D.C.** area shall be submitted in writing addressed to the specific office to be visited. Whenever possible, the exact code number, division, and branch of the activity or office to be visited shall be included in the address of the request. Visit requests shall be accompanied by a **statement** from the contracting officer that the release of classified **information** is required in connection with a specified classified contract or program. (Visit requests normally will be sent **via** the contracting officer.)

c. As an exception to paragraphs a and b above, a visit request may be submitted directly to the activity or office to **be visited** without a statement from the contracting officer when the classified information to be disclosed and the determination as to the contractor's need for such access **is** known to be a responsibility of the activity or office to be visited except as specified in paragraph e below.

d. The contractor's request shall contain the information specified in paragraph 37d, ISM.

e. **If** a contractor contemplates discussion or viewing of classified intelligence in the custody of a **UA** activity, the contractor's visit request shall be forwarded in all cases to the contracting officer of the UA activity authorized to release classified -intelligence information to contractors for the required need-to-know verification and routing to the **UA** to be visited. in addition to the information specified in paragraph 37d, **ISM**, the visit request **shall** contain:

(1) the contractor's certification that access to classified intelligence is required for contract performance, and the contract is a classified contract;

(2) sufficient additional information concerning classified intelligence required to permit the agency or activity receiving the visit request to assess:

(a) applicability of available classified intelligence to the contractor's needs, and

(b) whether available intelligence may be released **to** the contractor without permission of the originator and/or **sanitization** of the material; and

(3) a certification by the contracting UA activity representative authorized to release classified intelligence to contractors, that the information to be acquired during the visit is not available within the sponsoring agency 2/.

(4) If the contractor's request is to visit the Defense Intelligence Agency (**DIA**), and it appears that a broad base of intelligence material may be examined or discussed during the visit, **a** knowledgeable representative **of** the sponsoring UA shall accompany contractor personnel during the initial visit .

3-203 Visits to User Agency Activities Outside the United States. This paragraph is applicable when a contractor desires to have an employee make a classified or unclassified visit to a **UA** activity outside the U.S. The information required by paragraph 37d, ISM, shall be furnished for the **visits** enumerated in this paragraph.

a. Contractor Sponsored Visits. A contractor shall process a request for his or her employee to visit a **UA** activity outside the U.S. through DISCO to the **UA** activity concerned, **if** the visit is on the initiative of the contractor. The DISCO will process the **visit** request to the **appropriate** activities based on guidance furnished from such activities (such as, major commands and Military Assistance Advisory Groups (**MAAG's**) attaches). The Commander or Head of the activity to be visited **will** notify the contractor of the approval or disapproval of the visit request. (See paragraph 3-401 for an employee based in Europe.)

b. User Agency Sponsored Visits. A visit request for a contractor employee sponsored by a **UA** and traveling on the **UA's** orders will be processed by the UA **in** accordance with the regulations of such **UA**. "The traveler's order **shall** reflect the traveler's **level** of PCL, if required in connection with the travel. The contractor shall submit the request for such a visit directly to the UA activity concerned.

3-204 Action by Commander or Head of Activity to be Visited. The Commander or Head of the **UA** activity may --

a. Approve or disapprove the visit on the **basis of** the information provided, notifying the contractor accordingly, or request that the contractor furnish additional information in order to evaluate more fully the original **visit** request.

2/ The contracting officer, when verifying need-to-know, **shall** determine whether the required intelligence information is available locally or elsewhere within the **UA**, before authorizing visits to outside sources.

b. If there is **reason** to question the authenticity of the visit request or a need to verify the **FCL status**, the request shall be referred to the contractor's CSO for verification. Similarly, the request may be referred to the contractor's contracting activity if there is any question as to the justification for the visit or the visitor's **need-to-know**. When the **FCL** of a contractor **is** established, based on either a current classified contractual relationship or verification from the contractor's **CSO**, a cleared contractor's certification of the clearance of an employee visiting a UA should be accepted without further confirmation by the DISCO.

3-205 Compliance with Request from the Commander or Head of the User **Agency Activity**. **As** a result of the action taken by the Commander or Head of the UA activity as provided for in paragraph 3-204 -- the following actions **shall** be taken.

a. The **CSO** shall furnish as appropriate --

(1) To the contractor, the verification **of** the FCL and safeguarding ability or other requested information.

(2) To the Commander or Head of the **UA** activity, verification of the FCL **and** safeguarding ability or other requested information.

b. The contracting activity shall furnish, as appropriate --

(1) To the contractor, justification for-the **visit, or** a statement that the. visit cannot be justified.

(2) To the Commander or Head of the **UA** activity, justification for the visit, or a statement that the visit cannot be justified.

Part 3. VISITS TO GOVERNMENT ACTIVITIES OTHER THAN USER AGENCIES

3-300 Application. This part outlines the procedures **to be** followed to process visit requests to government activities other than **UA's** where access to **classified** information is involved.

3-301 Visits to DOE Installations or **DOE** Contractors.

a. Requests for visits to DOE installations or to DOE contractors which **will** require access to DOE classified information **shall** be prepared utilizing DOE Form F 5631.20. (Copies of this form may be obtained from any DOE Installation). In addition to completing the appropriate portions **of** the DOE Form F 5631.20, the contractor (usually the **FSO**) shall include, **in** the **first block** of the form immediately after the **PCL data**, a certification of the prospective visitor's **PCL**. The DOE Form F 5631.20 shall then be forwarded for the required official certification to the contracting officer of the UA who signed the **DD** Form 254 which was **issued** in connection with the contract for **which** the **DOE** classified information is required.

b. On receipt of a DOE Form F 5631.20, the contracting officer **shall** review the contractor's stated purpose for the **visit**. The contracting

officer must assure him or herself that access to DOE 'classified Information is essential to the performance of the DoD contract cited by the contractor, **or** that the proposed disclosure of classified information to the DOE activity will assist **in** either the performance of a **DoD** or DOE contract. A statement to that effect should be made in the appropriate part of the DOE Form F 5631.20.

c. The necessary certification required **on** part A of the DOE Form F 5631.20 shall be made by the official **of the** UA who has been delegated this authority. In connection with contracts administered by a **DCASR**, the delegation of authority to make this certification is set forth in **DLAM** 5025.1 (reference (ss)).

3-302 Visits to Activities Other Than the Department of Energy. Requests for visits to government activities other than **UA's** and the **DoE**, which involve the release of classified information to such activities in connection with a UA contract, require the approval of the contracting officer, and, **if** the **classi-fied** information to be released includes RESTRICTED DATA, the approval of the DOE. Such requests shall be submitted by the contractor co his or her contracting **officer** who will process the requests in accordance with the internal instructions of the department or agency. Before approving a contractor's request to disclose or acquire classified information during such **a visit**, the contracting officer should require evidence from the contractor that the activity to be visited had requested or else consented to the contractor's request for the **visit**. Also, the contractor should submit a statement explaining:

- a. the purpose of the visit in detail;
- b. a description of the classified information to be divulged during the visit, either to or by the government activity being visited; and
- c. the direct or indirect effect that the **visit** may have on the performance of the classified contract involved.

Part 4. VISITS TO FOREIGN GOVERNMENTS AND ACTIVITIES

3-400 Application.

a. Contractor visits to foreign governments or activities or to international bodies **fall** into three categories.

(1) These include visits which involve the disclosure of U.S. classified information:

(a) **in** connection with a government-to-government agreement to furnish U.S. military equipment to the foreign government (for example, when the purchase of the equipment is under a U.S., not a foreign government, contract);

(b) in connection with exploratory-sales visits involving precontract negotiations or contract performance, other than those covered under paragraph (a) above, (for example, when the **purchase** of the U.S.

military equipment or services, if consummated, will **be** under a f **oreign** government contract); **or**

(c) in connection with U.S. Government presentations to foreign governments and international pact organizations when the U.S. Government has requested the contractor's participation.

(2) These include visits which do not involve disclosure of U.S. **classif** led information but for which the foreign government or activity requires a U.S. security assurance on the visitor:

(a) which involve disclosure of unclassified technical data on the "U.S. Munitions List ," **or**

(b) which will not involve disclosure of technical data on the "U.S. Munitions List. "

(3) These include visits on a commercial basis (for example, visits that do not involve disclosure of U.S. classified information and do not require a U.S. security assurance on the visitor). These visits may or may not involve disclosure of unclassified data on the "U.S. Munitions List. " Visits in this category are not processed under the provisions of this **regulat** ion. However, the contractor is responsible for compliance with the ITAR (reference **(i)**) and for obtaining a State Department export **license** or letter, if required.

b. The following information concerning the requirements of reference (o) is furnished for the guidance of the contractor.

(1) Disclosure of classified information, in connection with visits in the category described in paragraphs (1) (a) and (c) above, does not require an export license.

(2) **Except** as specified in paragraph (3) below, disclosure of unclassified technical data related to "U. S. Munitions List" items requires an export license.

(3) **An export license is** not required if the **visit has** been approved on an unclassified basis by the **UA** concerned and (i) the technical data to be disclosed is information covered by a manufacturing license or technical assistance agreement approved by the Department of State or (ii) the technical data to be disclosed is exempt from the provisions of the **ITAR** (reference (i)) .

c. Requests for classified visits to foreign governments or **activi-**ties shall be processed only for employees who have a PCL for the appropriate level. Contractor-issued CONFIDENTIAL clearances are not valid for such visits.

d. Visit requests **in** the categories described in paragraphs **a(1)** (b) and a(2) (a) and **(b)** shall be processed by the contractor through **DISCO**. Visits in the category described in paragraphs **a(1)** (a) and (c) above, shall be processed by the contractor in accordance **with** the regulations of the , UA which **cover** dealing with the foreign government. The contractor shall

certify clearance information concerning the proposed visitor directly to the UA concerned; Such visits are not processed through DISCO.

e. **Visit** requests processed through **DISCO** shall be submitted in **quadruplicate** with one extra copy for each additional country to be visited, and **shall** contain the information required in paragraph 37d, **ISM**, as well as the proposed visitor's passport or identification card number, **date**, and place of issuance. **In** addition, the contractor shall specify the category of visit **which** is involved (see paragraph a above), and, for **a** visit of the type described in paragraph a(1)(b) or a(2)(a) above, will certify, within the visit request, the export license number and license expiration date **3/**.
The DISCO shall review the visit request to ensure **that** it is complete and accurate and contains the necessary information to process the visit. The visit request **will** then be forwarded to the 01S1, **MAAG**, Attache, or Unified Command **as** appropriate. These **latter** activities will arrange the **visit** with the **foreign** activity to be visited and advise the contractor directly of approval or disapproval of the visit. **In** every case the disclosure authorization, letter or license, shall be forwarded to the U.S. Government point of contact in the foreign country.

f. Processing Time. Visit requests **should** be received by DISCO at least 45 days in advance **of** the proposed travel date **for** all countries and U.S. overseas **commands**. Exceptions are travel to Switzerland which requires 70 days advance notice. Requests for visits in France must be for specific dates as France will not approve **visits** for indefinite periods.

3-401 Use of 01S1. If the U.S. contractor employee making **the** visit **is** based in Europe, or in an adjacent non-European country, the visit request may be submitted through **OISI** rather than through DISCO. The information required in paragraph 3-400e above shall be included with the request. The 01S1 will verify the proposed visitor's **PCL** status and process the visit to the foreign activity to be visited. The **OISI** will notify the contractor of the approval or disapproval of the visit. **In** addition to furnishing a copy **of** the export license or letter when required in accordance **with** paragraph 3-400e, the contractor is responsible for compliance with the ITAR (reference (i)), if applicable, in the same **manner** as though the visit were arranged through DISCO.

Part 5. VISITS IN CONNECTION WITH BILATERAL INDUSTRIAL
SECURITY AGREEMENTS AND NATO VISIT PROCEDURES

3-500 Visits in Connection With Bilateral Industrial Security Agreements.

a. The following procedures apply to visits pertaining to **precon-**tract negotiations or contract performance under approved bilateral agreements involving a foreign classified contract in the U.S. or a U.S. classified contract in a foreign country.

3/ To avoid delay in obtaining visit approval, the contractor should obtain any required export license or letter well **in** advance of the proposed visit.

(1) Authorization for visitors or those visited **to** have **access** to classified information shall be limited to that necessary for official purposes in connection with **precontract** negotiations or contract performance. When requested, **the** authority **to** visit the facility of the prime contractor may include authorization to have access to or to disclose classified information at the facility of a subcontractor engaged **in** performance of work in connection with the same contract.

(2) A list may be developed to indicate **those** individuals who are authorized to **visit** the facility for extended periods of time, not to exceed 6 months, as may be necessary **in** the performance of the contract. This authorization may be renewed for additional periods of 6 months as may be **necessary** in the **performance** of the contract.

(3) **Visits shall** be approved only for persons possessing government-granted **PCL's**.

b. U.S. contractor visits in connection **with** foreign classified contracts shall be processed **in** accordance **with** the **provisions of** paragraph 3-400.

c. ~~Representatives~~ Representatives of foreign governments visiting U.S. activities shall be **processed** as Category 4 visits **in** accordance with paragraph 3-103d, if U.S. classified information is involved in the foreign government's contract. , **If** only foreign classified information is involved, the visit shall be processed by DISCO.

3-501 NATO Visit Procedures. The following visitor control procedures apply to a NATO **precontract** negotiation or to a NATO contract awarded to a **U.S.** contractor by a NATO government other than the U.S., a contractor of such NATO country, or a NATO international body.

a. Visits by Representatives of a U.S. Contractor to the NATO Contracting Officer, a NATO Management Office, or a Contractor of a NATO Country Other Than the United States. The visit request, **in quadruplicate, will** be directed through **DISCO** to the NATO contracting officer or to the NATO management office and will be processed together with a Certificate of Security Clearance (see paragraph 3-503). The Certificate of Security Clearance **shall** indicate whether **or** not the visitor has received a NATO security briefing 4/. The **visit** request **shall** include the information specified in paragraph 37d, ISM, **the** visitor's passport or identity card number, date and **place** of issuance, and **the** NATO contract or program on which he or she is engaged.

4/ Whenever possible, the NATO security briefing will be accomplished prior to the submission of the visit request and the certificate **will** state **so**. When this is not practical, the visit request **will** include a statement as to when and by **whom the** NATO security briefing **will** be conducted.

b. Visits by Representatives of a NATO Contracting Officer, a NATO Management Office, or of a Contractor of a NATO Country to the U.S. Contractor. Such requests shall be processed by the NATO activity concerned as a Category 4 visit (see paragraph 3-103d) through the appropriate **UA** activity. Such visit requests shall contain the information specified **in** paragraph a above.

c. Visits **in** Connection with NATO Contracts by Representatives of a U.S. Contractor to Another U.S. Contractor in the United States.

(1) Such visits shall be processed **as** Category 1 visits (see paragraph 3-103a) if both contractors are performing on the same NATO contract in a prime contractor-to-subcontractor relationship. A statement on NATO security briefing shall be included in the visit request.

(2) If no contractual relationship **exists** between the contractors, the visit request shall be **processed as** a Category 2 visit (see paragraph 3-103b) requiring the **approval** of the NATO contracting officer whose information is involved. Supporting information on the NATO briefing and the Certificate of Security Clearance shall be included in such visit requests. The visit request, together with **two** copies of the Certificate of Security Clearance, will be processed through **DISCO to the** NATO Contracting Officer.

d. Recurring Visits. Subsequent visits **shall** be processed **in** accordance with paragraph 3-101. Authorization for subsequent visits shall not exceed **a** period of 12 months, but may be subject to renewal **for** succeeding periods of 12 months, if required.

3-502 NATO Production Logistics Organization. (NPLO) Program Security Clearance and Visit Procedures. Clearance and visit control procedures in effect for contractors performing **on** specific **NPLO** programs are different from **other NATO** visit procedures. Current NPLO **programs** are HAWK, F-104G, **NAMSA**, and **NICSO**. **As** an aid to simplify visit procedures, it is necessary to establish the visiting contractor employee's PCL **in connection** with a specific NPLO program. This may be accomplished prior to the initial visit or concurrent with the request for such visit.

a. Initial Visits.

(1) The visit request, in **quadruplicate**, **will** be directed through DISCO to the NPLO Management Office with a copy to the NATO activity. **to be visited and will** be processed together with a Certificate of Security Clearance (see paragraph 3-503). The **visit** request shall include the information specified in paragraph 37d, **ISM**, the visitor's passport or identity card number, date and place of issuance, and the NPLO program with which he or she is concerned.

(2) The DISCO will forward the visit request to the Management Office of the NPLO which **will** inform appropriate NATO and foreign activities of its action, for example, approval or disapproval.

(3) The Certificate of Security Clearance will be forwarded **by** DISCO to the NATO Office of Security Industrial Security Section for recording and dissemination of the information to the NATO member countries and NPLO Management Offices concerned.

(4) **In case** of urgency when a Certificate of Security Clearance has **not** been forwarded to the NATO Office of Security in advance, **DISCO will** attach a copy of the Certificate of Security Clearance to the visit request for transmission to the NPLO Management Office.

b. Recurring Visits. If the initial **visit** is approved, subsequent visits, not **to** exceed 6 months, to the **same** NPLO activity for the same U.S. contractor employee will be processed by the U.S. contractor directly to the **NPLO** activity to be visited. That activity **will** notify the contractor **of** the approval of the visit. **These** subsequent **visit** requests will contain the information required by paragraph 37d, ISM, and will include the visitor's passport or identification card number and date **and** place of issuance.

3-503 Certificate of Security Clearance.

a. A standard format, Certificate of Security Clearance, has been adopted **for use within** the NATO **community in** connection with visits from one NATO country- **to** another, or to **a** NATO office, agency, command, or to or between contractors when a visit will involve **access** to NATO classified information.

b. The Certificate of Security Clearance shall be completed **on** plain bond paper by the contractor for each of his or her employees desiring to make a visit, and submitted in duplicate for certification to DISCO. The employee's **name shall** be listed in the following order: **last** name, first name, and middle. name or initial.

c. This certificate shall be sent sufficiently **in** advance by the" contractor through DISCO so **as to** assure receipt by the foreign officials of the NATO offices, agencies, commands, or **contractors** before arrival. In exceptional circumstances, the **information** required by the certificate may be initially supplied by other means of communication, but shall be confirmed in writing. Normally a copy **of** this certificate should not **be** given to the traveler.

d. **The DISCO** shall forward the Certificate of Security Clearance to **the OISI**. That office processes the certificate to **the** appropriate NATO contracting activity. When the appropriate briefing has not been administered," the **OISI will** administer the NATO security briefing only **if** the visitor is located in or **is** in transit through Brussels. If it **is** more convenient, the 'briefing **may** be administered by a U.S. **UA** activity if specifically requested to- do so by a contractor;

DEFENSE INDUSTRIAL SECURITY CLEARANCE **OFFICE**
DEFENSE INVESTIGATIVE SERVICE

Certificate of Security Clearance

Issued by _____

Date and place of **issue** _____

_____ valid until _____

(If issued to an individual, this certificate should be returned to the granting authority on the termination of the mission for which is sued.)

This is to certify that: _____
(Last name, first name, middle name)

Date of birth _____

Place of birth _____

Nat **ionalit** y _____

Where employed _____

Programmed _____

Holder of passport and identification card number _____

Issued at _____

Military rank and number (**if** applicable) _____

_____ has been cleared for access to information classified up to and including _____

in accordance with current NATO security regulations. This individual

(**Has**) (Has not) received a NATO security briefing.

Signature and title of granting authority
(Seal or stamp)